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PTO/SB/30 (08-03)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/09311
Filing Date	5 March 2004
First Named Inventor	Holzer et al
Art Unit	1617
Examiner Name	Shaofu JIANG
Attorney Docket Number	Belersdorf 733.1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 14-1263
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Theodore Gottlieb, PhD	Registration No. (Attorney/Agent)	42,597
Signature	<i>Theodore Gottlieb</i>	Date	5 MARCH 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Theodore Gottlieb, PhD	Date	5 MARCH 2004
Signature	<i>Theodore Gottlieb</i>	141263	09909311

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PAGE 2/13 * RCVD AT 3/5/2004 5:25:22 PM (Eastern Standard Time) * SVR:USPTO-EFXRP-1/8 * DBS:8729307 * CSID:+2128080844 * DURATION (mm:ss):03:22

Adjustment date: 03/26/2004 SDIRETA1
03/16/2004 FHERCER 00000004 141263 09909311
01 FC:1E53 950.00 CR

Docket No. Beiersdorf 733.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STATUS AND ENTRY
BRANCH

GROUP : 1617
EXAMINER : Shaojia A. Jiang
APPLICANT : Heiner Max
APPLN. NUMBER : 09/909,311
FILED : July 19, 2001
FOR : Cosmetic and Dermatological Preparation with a Content of
Cyclodextrins for the Removal of Sebum

2001 MAR 15 PM 4:49

Commissioner for Patents
Refund Section, Accounting Division
Office of Finance
P.O. Box 1450
Arlington, VA 22313-1450

**REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

I. REFUND REQUEST

This is a request for a refund, with respect to the charge to Deposit Account No. 14-1263, for the above identified patent application.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

Refund Requested

- ☐ Filing fee
- ☐ Surcharge for filing the basic filing fee on a date later than the filing fee of the application (37 CFR § 1.16(e)) and/or
- ☐ Surcharge for filing the oath or declaration on a date later than the filing date of the application (37.CFR § 1.16(e))
- ☐ Extension of the term for first month
- ☐ Excess Claims
- ☐ Issue Fee

☐ Petition Fee

☐ Other- Two Months Extension of Time

STATUS AND ENTRY
BRANCH
840.00

TOTAL REFUND REQUESTED

2004 MAR 15 PM 4:49
950-110= \$840.00


III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The response to Office Action dated January 5, 2004 required only one month extension of time. However, the petition for three months extension has been filed by error on March 5, 2004.

IV. MANNER OF REFUND

Please make refund by crediting Deposit Account No. 14-1263.

Respectfully Submitted,



Theodore A. Gottlieb
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

Date: March 10, 2004
March 10, 2004

By Agata Gliniska
Agata Gliniska